

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

SEAN P. GARCIA, on behalf of himself and
all others similarly situated,
Plaintiff,

v.

NCB MANAGEMENT SERVICES,
INCORPORATED,
Defendant.

CIVIL ACTION NO. 08-11192-RGS

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Mass.R.Civ.P. 41(a)(1)(ii), the parties stipulate that this action be dismissed with prejudice, each party to bear his or its own costs and with all rights of appeal waived.

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CERTIFICATE OF SERVICE

I, Richard L. Nahigian, counsel for Defendant NCB Management Services Incorporated do hereby certify, that I have this date, served Stipulation of Dismissal by causing a copy thereof, to be sent electronically to the registered participants in this case, if any, as identified on the Notice of Electronic Filing (NEF) and paper copies mailed, first class mail, postage prepaid to any non registered participants in this case.

/s/ Richard L. Nahigian
Richard L. Nahigian

Dated: November 14, 2008

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